

This Supplemental Examiner's amendment is necessitated because several minor amendments to the specification, abstract, and claims were overlooked in the previous Examiner's amendment. Accordingly, the below supplemental Examiner's amendment replaces the previous Examiner's amendment in its entirety. In addition, Reasons for Allowance are indicated below.

Supplemental Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Logsdon on 30 March 2008.

IN THE SPECIFICATION:

On page 6, at line 2, the phrase "Termenalia arjuna and Shankha Bhusma" has been omitted and replaced with --Terminalia arjuna and Shankha Bhasma--.

IN THE ABSTRACT:

In the abstract (located on page 12 of the instant disclosure), at lines 3-4 of the abstract text, the final phrase "Termenalia arjuna and Shankha Bhusma" has been omitted and replaced with --Terminalia arjuna and Shankha Bhasma--.

Art Unit: 1655

IN THE CLAIMS:

In claim 1, at line 3, a comma has been inserted after the term "anacardium".

Also in claim 1, at line 4, the term "Bhusma" has been omitted and replaced with --Bhasma--.

In claim 2, at line 8, the word --of-- has been inserted after the term "powder".

Also in claim 2, at line 9, the term "Termenalia" has been omitted and replaced with phrase --of Terminalia--.

Also in claim 2, at line 10, the term "Bhusma" has been omitted and replaced with --Bhasma--.

In claim 5, at line 2, a comma has been inserted after the term "anacardium".

Also in claim 5, at line 7, word --of-- has been inserted after the term "powder".

Also in claim 5, at line 8, the phrase "powder-water extract Termenalia" has been omitted and replaced with the phrase --powder of water extract of Terminalia--.

Also in claim 5, at line 9, the term "Bhusma" has been omitted and replaced with --Bhasma--.

Reasons for Allowance

The prior art does not teach nor reasonably suggest a polyherbal preparation for treating and/or reducing the risk of atherosclerosis and hyperlipidemia comprising an effective amount of a combination of the six recited ingredients - as instantly claimed. It should be noted that although the corresponding PCT Chapter II opinion (409) submitted with the IDS filed 07

February 2008 indicates that a 2002 abstract reference (in which the instant inventor is the lead author) appears to anticipate the instantly claimed invention, this 2002 reference (as well as a subsequent 2004 reference - both of which disclose a polyherbal mixture comprising five of the instantly claimed herbal ingredients therein) does not teach or reasonably suggest the inclusion of Shankha Bhasma (which the prior art discloses is prepared from conch shells - as evidenced by the attached reference by Motlag et al.) therein - as instantly claimed. Further, there is no suggestion in the prior art to add Shankha Bhasma to such a polyherbal preparation, including an effective amount thereof for the intended purpose of treating and/or reducing the risk of atherosclerosis and hyperlipidemia.

Claims 1-5 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Tate whose telephone number is (571) 272-0970. The examiner can normally be reached on Mon-Thur, 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terry McKelvey can be reached on (571) 272-0775. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher R. Tate/
Primary Examiner, Art Unit 1655